

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

SYLVESTER MCCLAIN, on his own
behalf and on behalf of a class of similarly
situated persons, et al.,

Plaintiffs,

vs.

LUFKIN INDUSTRIES, INC.,

Defendant.

§ CIVIL ACTION NO. 9:97-CV-063

§ JUDGE CLARK

JOINT STATUS REPORT

At the mediation that was conducted on December 13, 2011, the parties successfully resolved the issue of outstanding attorneys' fees and expenses in the above-referenced matter. The parties also reached an agreement with respect to any future fees or expenses that might be incurred by Plaintiffs' counsel through the term of the Injunction for any work related to monitoring Lufkin's compliance with the Injunction. The parties are in the process of preparing a comprehensive settlement agreement and will notify the Court when that has been completed.

Respectfully submitted,

/s Christopher V. Bacon

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CERTIFICATE OF SERVICE

I certify that on this 14th day of December 2011, a copy of the foregoing document was filed electronically through the Court's CM/ECF System and was automatically copied to Plaintiffs through the Court's electronic filing system.

/s Christopher V. Bacon

Attorney for Defendant